

Superior Court of Washington, County of _____

In re parentage:

Petitioner *(person who started this case)*:

And Respondents:

(parent / presumed parent / alleged parents)

Children over age 2:

No. _____

Findings and Conclusions about Parentage
(FNFLC)

Findings and Conclusions about Parentage

1. Basis for findings and conclusions *(check all that apply)*:

- Parties' agreement
- Default Order or Summary Judgment Order *(date)*: _____
- Trial for this case on *(date)*: _____, with the following people present *(check all that apply)*:
 - State of Washington, DSHS, through its lawyer *(name)*: _____
 - Birth Mother *(name)*: _____ This person's lawyer
 - Presumed Parent *(name)*: _____ This person's lawyer
 - Alleged Parent *(name)*: _____ This person's lawyer
 - Alleged Parent *(name)*: _____ This person's lawyer
 - Alleged Parent *(name)*: _____ This person's lawyer
 - Guardian ad Litem for *(children's names)*: _____
 - Other *(name and relationship to this case)*: _____
 - Other *(name and relationship to this case)*: _____
 - Other *(name and relationship to this case)*: _____

➤ **The Court makes the following findings of fact and conclusions of law:**

2. Notice and Personal Jurisdiction

All people with a right to receive notice of this case were served with the *Summons* and *Petition*. except (name/s): _____.

(Check all that apply):

- (Name/s) _____ was/were served in this state.
- (Name/s) _____ live/s in this state now.
- (Name/s) _____ lived in this state with the children.
- (Name/s) _____ lived in this state and paid for pregnancy costs or support for the children.
- (Name/s) _____ did or said something that caused the children to live in this state.
- (Name/s) _____ had sex in this state, which may have produced the children.
- (Name/s) _____ signed an agreement to join this *Petition* or other document agreeing that the court can decide his or her rights in this case.
- None of the reasons listed above apply to (name): _____
- Other (specify): _____

Conclusion: The court has personal jurisdiction over all parties to this case,
 except (name/s): _____.

3. Guardian ad Litem

- No Guardian ad Litem was appointed.
- The Court appointed (name): _____ Guardian ad Litem (GAL) for (children's names): _____.

The court has considered the report and recommendations of the GAL about (check all that apply):

- Parentage
- Parenting Plan or Residential Schedule
- Other (specify): _____
- Other (specify): _____

4. Genetic Testing Admitted

- Does not apply. Either genetic testing was not done, or the results were not admitted. (Skip to **5**.)
- This issue was decided in the *Summary Judgment Order* signed by the court on (date): _____ . (Skip to **5**.)

- The following genetic testing results were admitted as evidence (*check all that apply*):
- Alleged Parent Tested** – Genetic paternity testing was done with a possible father (*name*): _____
 The testing was done by (*check one*):
- court order.
 - agreement of the Alleged Parent, Birth Mother and any Presumed, Acknowledged, or Adjudicated Parent.
 - the alleged parent without a court order or agreement. The children have no Presumed, Acknowledged, or Adjudicated Parents.
- The test results (*check one*):
- show a 99% or greater probability that this Alleged Parent **is** the biological parent of (*children's names*): _____.
 - exclude** this Alleged Parent as a biological parent of (*children's names*): _____.
- Presumed Parent Tested** – Genetic paternity testing was done with the Presumed Parent (*name*): _____
 The testing was done by (*check one*):
- court order
 - agreement of the Birth Mother and Presumed Parent.
- The test results (*check one*):
- show a 99% or greater probability that the Presumed Parent **is** the biological parent of (*children's names*): _____.
 - exclude** the Presumed Parent as a biological parent of (*children's names*): _____.
- Test Results Challenged** – The genetic paternity test results were challenged by (*name*): _____. The court concludes that the challenged test results (*check one*): are are **not** valid because (*specify*): _____
- Other (*specify*): _____

Conclusion: (*Check one*):

- The court should decide parentage according to the genetic test results described above.
- The court should **not** decide parentage according to the genetic test results described above because the court found the test results are invalid.

5. Genetic Testing Not Admitted

- Does not apply. Genetic testing results were admitted. (*Skip to 6.*)
- This issue was decided in the *Summary Judgment Order* signed by the court on (*date*): _____. (*Skip to 6.*)
- Genetic testing was **not** done, or the results were **not** admitted.

Conclusion: (Check all that apply):

- Not Necessary** – Genetic testing was not necessary to decide parentage. (Name): _____ should be declared the legal parent of (children's names): _____ because s/he is a/n (check all that apply):
 - Acknowledged parent (parent who signed a *Paternity Acknowledgment*).
 - Parent by admission (someone who admitted s/he was the parent in his/her court papers or in a hearing under penalty of perjury).
 - Adoptive parent.
 - Parent by assisted reproduction.
 - Parent according to a surrogacy contract.
 - Other findings (specify): _____

- Not Ordered** – The children have a Presumed, Acknowledged or Adjudicated Parent. The court concludes that ordering genetic testing is not in the children's best interest after considering the report and recommendation of the children's Guardian ad Litem. This conclusion is based on the following (check all that apply):
 - See *Order on Motion for Genetic Testing*.
 - (Describe clear and convincing evidence why testing is not in the child's best interest): _____

- Not Admitted** – The children have a Presumed, Acknowledged or Adjudicated Parent. Genetic testing results were not admitted because the testing was done without either a court order or agreement of the Birth Mother and the Presumed, Acknowledged or Adjudicated Parent.

- No Cooperation** – (Name): _____ did not cooperate with an order for genetic testing. This conclusion is based on the following facts (describe the failure to cooperate): _____

- Because this person did not cooperate with genetic testing, the court concludes that he (check one): should should **not** be the legal father of the children. RCW 26.26.575(2). This is in the children's best interest because (explain): _____

- Other (specify): _____

6. Presumed Parent

- There is no presumed parent.
- This issue was decided in the *Summary Judgment Order* signed by the court on (date): _____ . (Skip to 7.)
- Marriage / Domestic Partner Presumption** – (Name): _____ was presumed by law to be a parent when this case started because of a marriage or domestic partnership.

Conclusion: The court should:

- Disprove** the presumed parent as a legal parent of (children's names): _____ because the presumed parent is not the biological parent according to the genetic test results described in section 4 above, and (check all that apply):
- The *Petition* was filed or served on or **before** (children's names): _____ 4th birthdays.
 - The *Petition* was filed or served **after** (children's names): _____ 4th birthdays and the presumed parent:
 - did not live with and did not have sex with the birth mother when the children were likely conceived, and
 - did not openly hold out these children as his/her own children.
- Confirm** the presumed parent is a correct legal parent of (children's names): _____ because (check all that apply):
- The presumed parent is the biological parent according to the genetic test results described in section 4 above.
 - The court decided it was not in the children's best interest to order genetic testing.
 - The *Petition* was first filed or served **after** (children's names): _____ 4th birthdays and the presumed parent (check all that apply):
 - lived with or had sex with the birth mother when the children were likely conceived.
 - openly held out these children as his/her own children.
- Other** (specify): _____
- _____
- Holding Out Presumption** – (Name): _____ is claimed to be a presumed parent of (children's names): _____ because he/she had lived in the same home as these children and openly held them out as his/her own children for the first 2 years of their lives.
- Conclusion:** The court should:
- Deny** the claim that this person is a legal parent based on the following facts (specify): _____
- _____
- _____

Confirm that this person is a legal parent based on the following facts
(specify): _____

_____.

7. Children’s Names

- The children’s names should **not** be changed.
- The children’s names should be changed as listed on the *Final Parentage Order*.

8. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

- The court **can** approve a *Parenting Plan* or *Residential Schedule* for these children and decide who the children should live with most of the time because (check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names):
 - Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for (children’s names): _____.
 - Home state jurisdiction** – Washington is the children’s home state because (check all that apply):
 - (Children’s names): _____ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.
 - There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.
 - (Children’s names): _____ do not live in Washington right now, but Washington was the children’s home state some time in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.
 - (Children’s names): _____ do not have another home state.
 - No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for (children’s names): _____, **or** a court in the children’s home state (or tribe) decided it is better to have this case in Washington **and**:
 - The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
 - There is a lot of information (substantial evidence) about the children’s care, protection, education and relationships in this state.
 - Other state declined** – The courts in other states (or tribes) that might be (children’s names): _____’s home state have refused to take this case because it is better to have this case in Washington.

- Temporary emergency jurisdiction** – Washington had temporary emergency jurisdiction over (*children's names*): _____ when the case was filed, and now has jurisdiction to make a final custody decision because:
- When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children's parent, brother or sister) was abused or threatened with abuse;
 - The court signed a temporary order on (*date*) _____ saying that Washington's jurisdiction will become final if no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months;
 - The children have now lived in Washington for 6 months; **and**
 - No case concerning the children has been started in the children's home state (or tribe).

Other reason (*specify*): _____

- The court **cannot** approve a *Parenting Plan* or *Residential Schedule* for (*children's names*): _____ or decide who the children should live with most of the time because the court does not have jurisdiction over these children.

9. Parenting Plan or Residential Schedule

- The court has jurisdiction over the children as listed in section **8** above.

(*Check one*):

- The court signed the final *Parenting Plan* or *Residential Schedule* filed separately today or on (*date*): _____.
- No one requested a *Parenting Plan* or *Residential Schedule*. The children have been living with (*name*): _____ most of the time. The children should continue to live with this parent most of the time. This parent should be named the children's custodian.

The plan, schedule or custodian is approved (*check one*):

- by default. The court considered the court record.
 - by agreement of both parents without a contested hearing. The court considered the parties' agreement and the following evidence, if any: _____
 - after a summary judgment hearing. The court considered the evidence listed in the *Summary Judgment Order*.
 - after trial. The court considered all of the evidence admitted at trial.
- The court does **not** have jurisdiction over the children as listed in section **8** above. Therefore, the court **cannot** approve a *Parenting Plan* or *Residential Schedule*, or decide who the children should live with most of the time.
- Other (*specify*): _____

10. Child Support

- The children should be supported according to state law. The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (date): _____.
- The court is not making a decision about child support now because: _____

- Other (specify): _____

11. Protection Order

- No one requested an *Order for Protection* in this case.
- (Name): _____ requested an *Order for Protection* in this case.

Conclusion: The court should (check one):

- not approve an *Order for Protection* because: _____

- approve an *Order for Protection* because: _____

12. Restraining Order

- No one requested a *Restraining Order* in this case.
- (Name): _____ requested a *Restraining Order*.

Conclusion: The court should:

- not approve a *Restraining Order* because: _____

- approve a *Restraining Order* because: _____

13. Fees and costs

- Each party should pay his or her own fees and costs.
- This issue was decided in the *Summary Judgment Order* signed by the court on (date): _____. (Skip to **14.**)
- (Name): _____ incurred fees and costs, and needs help to pay those fees and costs. (Name): _____ has the ability to help pay fees and costs and should be ordered to pay the amount as listed in the *Final Parentage Order*. The court finds that the amount ordered is reasonable.

Fees for a guardian ad litem (GAL) or other court-appointed professional should be paid as listed in the *Final Parentage Order*. The court has considered relevant factors including each party's ability to pay, and finds the fees as ordered are reasonable.

Other findings: _____

14. Other findings or conclusions (if any)

Date ▶ _____
Judge or Commissioner

Petitioner and Respondent/s or their lawyers fill out below.

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

▶ _____
Petitioner signs here or lawyer signs here + WSBA #

▶ _____
Respondent signs here or lawyer signs here + WSBA #

Print Name *Date*

Print Name *Date*

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

▶ _____
Other Respondent or lawyer signs here + WSBA #

▶ _____
Other party or Guardian ad Litem signs here

Print Name *Date*

Print Name *Date*